

**Board of Okanogan County Commissioners**  
**Feb. 6, 2017**

Jim Detro – JD  
Andy Hover – AH  
Chris Branch – CB  
Lanie Johns – LJ

Albert Lin – AL  
Perry Huston – PH  
Dave Hilton – Environmental Health  
Sandie Mackie – SM

*All writer's comments are in italics. This is a paraphrasing of conversations. As this has periods of BOCC work time there are extended periods of BOCC members looking at a variety of papers, reading correspondence on computers & smart phones – also emailing and texting.*

**Review of consent agenda, general capital improvement, LTAC funds & fair, USFS & Out-fitter meeting, LTAC practices and polices, Enforcement Procedures and Costs, employee usage of a County vehicle, Legislative Steering Committee for WSAC, ER & R) for the Sheriff's Office, possibly WIRA 49 are over allocated, nightly rentals, outstanding projects at Fair, Exec Session – Comp Plan litigation – Chilliwist, VSP, Title 20, CAO, WATV –Washington ATV spokesman**

9:05 AH & CB present, JD snowed in and digging out. BOCC not opened as of yet, basically a calm beginning so far, just talking informally. No real business. Fog & snow issues for some, main highway is OK but off that is drifting.

9:15 **Review of consent agenda** – no copy of the BOCC available so far. LJ mentioned that she worked over the weekend on a grant accountability document. BOCC needs pay vouchers - Methow EMT, Public Works. 2016 - \$95,000 transfer from capital fund moved to jail. Was not spent in 2016 for ceiling project. PS & E architects. Need to do some accounting moves to indicate how money spent properly, needed paper trail and tag for restricted purpose. Would “label” money so only can be used as intended. could move back to capital improvements – recommended by LJ. Otherwise \$ would be in current Expense where a lot less control of the funds. (The original transfer out of restricted capital improvement to current expense was at PH recommendation). Need to work with Treasurer and Auditor to make sure all is in order and then go through proper process. There are existing budget lines within capital improvement that go back to 2010 and then again in 2016 budget for the money from the Jail.

9:30 Discussion of **general capital improvement** costs and budget items (fair, bond registrations, energy project at courthouse).

**LTAC funds & fair** – county could apply, have a 45 day comment period for the LTAC committee then BOCC could chose what to do with or without LTAC committee approval. There is a

general lack of progress on Fair bathroom, bleachers & a money shortfall and cost increases on project. County needs to find a way to reach an end. CB & AH – county needs to get bathroom done. AH recommends withdrawing of Bleacher (Grandstand) LTAC app and then use the work around above to re-allocate money to bathroom project. There needs to be a replacement on the LTAC, as one member has not been attending. A discussion is had on what kind of replacement (AH mentioning perhaps someone from Gamble Sands). All overnight accommodation providers are supposed to LT tax but with Air BnB type providers generally do not though efforts are being made to get compliance. LTAC people are in charge of collecting and receiving money. BOCC & LJ spend some time reviewing of the implementing resolution, procedures and membership terms and such. AH is BOCC rep. to LTAC.

9:57 AH attended **USFS & Outfitter meeting** in Wenatchee. USFS has a supplemental EIS, Outfitters support alternative 4, but USFS had to withdraw process because of challenge. The re-opening changed the base years for averaging which resulted in a lowering usage days for Outfitters (Outfitters are commercial operations, this has nothing to do with personal horse packers, hikers or others). Alternative 4 of the original plan was felt to be generally OK. Discussion was that the USFS process could not use speculative forecasts, needed hard data. This doesn't allow demographic trends for predictions. This does not take into account a measure of actual or collective impact on the ground. Outfitters are required to get a permit for commercial operative while private people are not.

10:05 LJ brings in a small stack of **LTAC practices and policies**. There are various versions, no idea of which, if any, are actually adopted or in force. This needs to be clarified and which policy is to in effect. This needs to then be submitted to the BOCC. AH wants to review and check proposed policy changes and then get back to LJ and BOCC. There is a general need to clean and reconcile the files to reflect current and actual policies. Policy versus an Enabling Resolution needed to be reconciled.

10:25 BOCC and note taker have a short discussion of **Enforcement Procedures and Costs**. Currently in the hands of PH. Question is of other county employees being encouraged to pass on issues that are noticed in their normal course of business to an appropriate County person. Examples might be Sheriff or Public Works reporting issues to the Health or Planning Dept.

BOCC and LJ have a discussion of an **employee usage of a County vehicle**. Apparently there needs to be an approval of the payroll and this pointing out the usage of a public vehicle issue. It seems if a usage is outside of listed official uses then the usage is a fringe benefit and must be accounted for as income to the individual and appropriate taxes and fees deducted in a payroll deduction. This is an IRS requirement. This is not an argument that there is a employee violation or misconduct, it is an income and taxes issue that needs to be accounted for and there needs to be a daily log of such uses.

10:45 CB is the BOCC rep on the **Legislative Steering Committee for WSAC**. Three big issues that are being addressed: 1) Public Defender funding – there is an obligation from the State for

the counties to provide full coverage (full is a debatable term). The State provides some 4% of the cost. 2) Property Tax bills – a variety of proposals for changes to the 1% property tax increase. 3) Public Records reform – limits, who covers the cost and more. There a brief discussion that the improved atmosphere on the current BOCC towards more transparency and openness might decrease the need for public records “reform” and FOIA request. AH relates how a variety of law suits restrict his desire to be open and transparent (laughter).

11:05 AH – raises a question on Equipment Repair & Replacement (**ER & R**) for the Sheriff’s Office. LJ – each year most departments have a budget line amount for ER & R. This amount would then be transferred to a Vehicle Replacement fund that could be rolled over for future use. This allows the department to accumulate the needed funds to purchase after the vehicle is used up or depreciated out. Purchasing is usually authorized in July for actual delivery in the Fall. Replacement needs would be discussed during the budgeting process and an amount is put into the budget. If budget problems arise then the actual transfer to the Vehicle Replacement fund is adjusted or not done at all. Special modifications on a vehicle (lights, electronics, decals . . . ) are an additional cost outside of the Vehicle Replacement costs (i.e; it is about \$15,000 for each Sheriff’s Office vehicle). AH discusses not listing out explicitly at the BOCC level and then letting departments break down by appropriate line items with BOCC oversight. Long term expenses – personnel is an example - would be special as they incur additional budget costs (retirement, medical, taxes) beyond the mere salary. Many others are not necessary a BOCC issue. BOCC otherwise specifies a lump sum for the department’s allocation.

11:30 Joe Someday from the Sheriff’s Office attends a **Public Hearing for a Supplement Budget for the Sheriff’s Office**. The State passes on money for boating safety fund to use on boating safety. This has traditionally gone in a current expense fund, which is then sub-divided into separate sources and expenditures. The State has requested a different process where the boating safety money is not co-mingled with the current expense fund but goes into and out of a specific boating safety account so that is assured that is spent on boating safety. This is a routine need for change in accounting that the BOCC needs to approve. Resolution is passed.

11:45 **Solid Waste Advisory Committee (SWAC)** meeting at 4:00, Monday. CB – is on that committee. Wants to propose that SWAC include representative(s) from the recycling community. AH – discusses a need to encourage paper recycling in the County offices. LJ states that periodically confidential materials are shredded by a contractor, they are paid by county. They may be willing to include other waste paper in the process. AH – any objection to adding recyclers to SWAC? Suggests always having a preliminary fact finding, set a plan of action then proceed – this would be standard procedure for any similar situation. CELP – Center for Environmental Law & Policy – advocates for clean streams, CB often refers to their materials. OCPI – overriding citizen public input.

AH expresses concern over statements that refer to waters **possibly WIRA 49 are over allocated**. Water used out of wells returns to the watershed except for a small amount, which is “consumed.” AH argues that the standard definition of “consumption” overlooks the return to waters-

hed. CB points that withdrawal is not necessarily the same location or quality as the point of return. Both AH & CB agree there is a general need to deal with issues via planning decisions. AH points out that water flow at Methow outlet is up over past despite increased development, so contests “over allocation.” Short discussion is over separation of water rights from land. Consensus was a dislike of outright sale but some sort of lease might be possible.

Lunch

1:23 JD arrives.

PH 1:25 arrives and opens a discussion of **nightly rentals**. Dave Hilton from the Dept. of Health – does inspections of nightly rentals, is in attendance. Nightly rentals need to have a permit, a one time site analysis, and yearly business license. Some issues in the Methow due to a series of complications that the BOCC needs to be aware. Dave – cities (Twisp & Winthrop) are not doing inspections. If the rentals are not in use over 6 months of the year they do not need inspection or license. Cities are not willing to sign off on city building permits. County can’t / won’t sign off without city review. Nightly rental – county regulates through zoning, county doesn’t have zoning jurisdiction within cities. Dave – county looks at fire & handicap. County could use records (building permit, yearly city licenses) to get past city inspections and use that past record to move forward on process. Goal is to get overnight rentals in compliance with all regulatory agencies. County can’t certify from county level without city sign off. County checks for “others” approval and health issues then gives OK. There is no contention that the overnight rentals are not meeting requirements just cities won’t sign off. AH will talk with appropriate city officials. Another related issue is what to do with those not “Choosing” to meet compliance and permits? Should county move to enforce or shutdown? 2005 was a time for prior non-compliance grandfathering, establishment after that give until 2021 to meet zoning, building and health requirements, yearly permits, business licenses. The existing zoning rule in the Methow requires an overnight rental to be in a planned development. Many are renting through online rental sites and not choosing to go through any process. This is an ongoing problem. A planned development may be a single unit – this is not the same as a sub-division which is a much more involved process. The general assumption is for a planned development to move forward through a sub-division process. This is not necessarily true under the above zoning as they may stop at the planned development stage which allows nightly rental. Other cities in the county are signing off for the county.

2:00 New Fair facilities manager in attendance. There are two **outstanding projects at Fair**. Bathroom - \$240,000 project – higher than estimate, after checking with architect and other similar projects this is the going cost. Need to decide on whether to complete project and how to cover the cost. Grandstand look at about \$300,000+. PH proposes to use all available Fair capita money plus annual reality tax dollars and build the bathroom and grandstand. The plan is to use the reality tax dollars to secure a new bond, replacing the existing bond, which expires this year with a lower yearly payment on this new bond. The payment would be about \$30,000 a year for the next 20 yrs (4.5%). Right now the bond is from the Granger Admin building and the Agri-

plex. The new proposed bond would be a much less obligation. BOCC agrees to go ahead and explore the details with the Treasurer and Auditor. PH will bring in the architect in to go over the bid specs for the bathroom.

**2:25 Exec Session – Comp Plan litigation – Chiliwist case.** PH, BOCC, SM, AL. Is originally scheduled for 30 min. but ends up being over an hour.

PH will bring by a series of contracts on the Fair that need to be approved on the Fair.

**VSP** – the contract with the Conservation District ends in June, the Conservation District is not confident the state legislature will fund the program in this session. VSP committee feels real good that they can reach a final product by that time. They are looking at the Whatcom County model as the structure to follow. It seems that the Whatcom plan was generated by a consulting firm. PH wants to investigate using that consultant to finish up the Okanogan County version by June. It would be possible to meet that deadline by doing this.

PH & CB – County work plan is to generate a way to measure success to see if the VSP is working the way it is supposed to. Standards would be set to measure success. This is essentially setting out the performance standards of the VSP. If the Okanogan County VSP does not meet the standards then the county would have to go into a CAO system (Critical Areas Ordinance). The goals are to protect critical areas as well as agricultural viability.

PH feels that in the end there will be a compromise in the state legislature. CB concern on the fit of the Whatcom Co. model due to the landscape differences? AH & PH feel we're looking more at the structure and organization of the plan rather than the details of the content, so not a problem.

**Title 20** – there is a hearing coming up on Feb. 20<sup>th</sup>. This is a technical hearing with the Colville Tribe and Okanogan Co. presenting information. PH wants the drillers to present their experience on different aquifers and hydraulic experience. Also wants the various watershed groups to present. Tim Flynn (Aspect Consulting – did previous Methow water study) presenting would cost the county perhaps \$2500, this testimony as a counter-point to other technical sources. CB states this is available on a report so why need the personal testimony? PH & AH think the in person testimony will provide the “proper” weight of the information. PH will also get a summary of the various pertinent reports. In the end the hearing examiner will present a set of “Findings” to provide the base for future Hirst actions.

**CAO** – The state Dept. of Commerce is calling about the 2012 CAO revision that still has not been finalized. The details were discussed last week. Basically the County is badly delinquent on the 2012 revision and some grant applications would need a box checked. The complication is that the County has a required 2018 update due in December 2017. So the question is why not just let the 2012 go and do the 2018? What to do is not decided.

**WATV –Washington ATV spokesman** came in to discuss current bills in the legislature and possible support from the BOCC. Currently counties with less than 15,000 pop. have county roads open for ATV usage unless County rules otherwise. One bill would change this to 300,000 people –all but 4 Counties in the State. This would mean Okanogan County would need to specifically close a road to ATV usage or else it would by default be open to ATV use. To operate on roads requires a WSP approval and a yearly license. Another bill would exempt county OK from SEPA requirements. The spokesman contends that licensed users do not use paved roads very often. The WATV will start their meetings in March and the BOCC is invited. The note taker suggested it would be a conciliatory effort for the WATV to also advocate for more funds to pay for damage caused by “renegade” ATV users. This was pretty much ignored without comment.

4:20 Note Taker Leaves